

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

L.B., *by her next friends and parents*,
SAMANTHA BROWN and HENRY
BROWN,

Plaintiffs,

Civil Action No. 1:23cv124 HSO-BWR

v.

HARRISON COUNTY SCHOOL
DISTRICT; HARRISON COUNTY
SCHOOL BOARD; MITCHELL KING, *the*
Superintendent of Harrison County School
District; KELLY FULLER, *the Principal of*
Harrison Central High School,

Defendants.

DECLARATION OF SAMANTHA BROWN

Pursuant to 28 U.S.C. § 1746, I, Samantha Brown, make the following declaration under penalty of perjury:

1. My name is Samantha Brown, and I am an adult resident of Harrison County, Mississippi with legal residence in Gulfport, Mississippi for a minimum of six (6) months.
2. My daughter is transgender and a senior at Harrison Central High School located in Gulfport, Mississippi. She is scheduled to graduate on Saturday, May 20, 2023.
3. L.B. is the youngest of my three children and the remaining one to graduate from Harrison Central High School.
4. My family has been looking forward to our daughter's graduation since she was in the ninth grade. We are overwhelmingly proud of her and all of her accomplishments.

5. In preparation for graduation, she purchased a white formal dress and high-heeled shoes from an apparel website, shein.com in March 2023.
6. On Thursday, May 4, 2023, my daughter came home and informed me that the assistant principal, Dr. Spencer told her to anticipate a meeting with the principal, Dr. Fuller about an undisclosed matter. My daughter was not visibly alarmed, so I did not question the matter further.
7. On Tuesday, May 9, 2023, my daughter called me in a panic, crying profusely. She stated that Dr. Fuller asked her what she planned to wear to graduation. My daughter responded that she purchased a white dress and high-heeled shoes. Dr. Fuller in turn stated that she had received a call from the superintendent, Mr. King, and that he inquired about what the students were wearing to the graduation ceremony. Dr. Fuller then told my daughter that she would not be allowed to wear a dress and that she had to wear boys' clothing. When my daughter asked "why" she was told by Dr. Fuller that this directive was coming from the superintendent.
8. I placed several phone calls to Dr. Fuller's office in an attempt speak with her regarding this matter and was not able to reach her. I then called Mr. King's office and was able to speak with him. I was told by Mr. King that my daughter would be required to wear what the other boys were wearing because "*he* is still a boy," and that "*he* needs to wear pants, socks, and shoes, like a boy." I corrected Mr. King by stating that my daughter identifies as female. Mr. King responded by saying, "It doesn't matter what *he* identifies as, *he* is still a boy." I then asked what would happen if she wore a dress to the ceremony and was told that my daughter would not be allowed to participate.
9. On May 10, 2023, my daughter picked up her cap and gown and included with them was a letter stating the dress code for Harrison Central High School's graduation. In the letter

it stated that girls were required to wear white dresses and white dress shoes and boys were required to wear a white button-down dress shirt, black pants, black dress shoes with socks (no tennis shoes) and a tie. I received another distressing phone call from my daughter about the letter. She was inconsolable.

10. My daughter wants to wear her dress and high-heeled shoes at her graduation ceremony to express peacefully her identity, as well as her social and political viewpoints that it is appropriate for transgender girls to wear clothing and accessories consistent with their gender identity.
11. The teachers and administrators at Harrison Central High School have never instructed my daughter that she may not wear these clothing items or otherwise dress and groom in a manner consistent with her gender identity. Further, my daughter's clothing has never resulted in disruption or commotion at school or school-sponsored events.
12. On May 11, 2023, I contacted the offices of the ACLU of Mississippi for legal advice. My daughter's civil rights have been violated and we want to take the appropriate steps to rectify this situation. It is my desire that other trans students and their families are not subjected to the discriminative practices and policies of Harrison Central High School and the Harrison County School District.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed: May 17, 2023


Samantha Brown